

Bedford Hills, New York
October 15, 2013

The second meeting for the month of October of the Town Board of the Town of Bedford was held on October 15, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Supervisor Roberts.

Present:	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	David Gabrielson	: Councilman
	Chris Burdick	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Joel H. Sachs	: Town Attorney
	Jeffrey Osterman	: Director of Planning
	Kevin Winn	: Commissioner of Public Works
	Ed Ritter	: Town Comptroller
	Ed Collins	: Lieutenant, Town of Bedford Police
	Amy Pectol	: Receiver of Taxes
Absent:	Francis Corcoran	: Councilman

And six (6) residents/observers.

APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Gabrielson, Burdick
Nays:	None
Absent:	Corcoran

RESOLVED, that the following claims for 2013 be allowed for payment from their respective funds,

	2013
General Fund	\$ 36,281.66
Highway Fund	761,383.43
Consolidated Water District	7,723.14
Cedar Downs Water District	70.00
Farms Water District	30.00
Old Post Road Water District	60.00
Energy	3,056.14
Special Districts:	
Bedford Village Memorial Park	1,865.82
Bedford Hills Memorial Park	927.59
Katonah Memorial Park	960.42
Bedford Hills Lighting District	697.71
Capital Projects	547,248.22
	<u>\$ 1,360,304.13</u>

MONTHLY REPORTS

Mrs. Roberts advised that the departmental monthly reports were available for review during regular business hours in the Offices of the Town Clerk and the Supervisor as well as on the Town of Bedford website.

CORRESPONDENCE

1. Discussion of proposed Katonah War Memorial

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Gabrielson, Burdick
Nays:	None
Absent:	Corcoran

RESOLVED that the Town Board does hereby refer the request from Richard W. Schmitt, for a proposed War Memorial honoring those from the hamlet of Katonah that have served in World War II, the Korean War, the Vietnam War, and Gulf Wars, to be sighted on the green south of James F. Lawrence Circle, to the Katonah Historic District Advisory Commission for their review and report back to the Town Board.

2. Request from Military Order of the Purple Heart Chapter 21 New York that the Town of Bedford be known as a Purple Heart Town.

The Town Board acknowledged the receipt of a communication from Eugene Lang, of the Military Order of the Purple Heart, Chapter 21, New York, requesting that the Town of Bedford be known as a Purple Heart Town. The Town Board issued the following:

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

WHEREAS, the Purple Heart is awarded to any member of the United States Armed Forces who was wounded or killed in combat with a declared enemy of the United States of America; and,

WHEREAS, Veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and,

WHEREAS, the contributions and sacrifices of the men and women from The Town of Bedford who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and,

WHEREAS, many men and women in uniform have given their lives while serving in the Armed Forces; and,

WHEREAS, many citizens of our community have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and,

WHEREAS, October 15, 2013 has officially been designated as the day in the Town of Bedford to remember and recognize veterans who are recipients of the Purple Heart Medal;

NOW, THEREFORE, BE IT RESOLVED, that I, Lee V. A. Roberts, Supervisor of the Town of Bedford, along with the members of the Town Board, hereby proclaim the Town of Bedford as a Purple Heart Town, honoring the service and sacrifice of our nations' men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

3. Request from Katonah Elementary School to hold Halloween Fair on Saturday, October 26th.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby approve an off duty officer for police assistance for the Katonah Elementary School Halloween Fair on Saturday, October 26, 2013, from 11 am to 3:30 pm, as per the letter dated October 3, 2013 from Mary Foynes Gaza, Co-Chair of the Katonah Elementary School Parent Teacher Organization Halloween Fair on behalf of the Katonah Elementary School Halloween Fair Committee, said expenses for the police coverage to be paid for by the Katonah Elementary School Parent Teacher Organization.

4. Request to hold Halloween Parade in Katonah on Sunday, October 27th.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby grant approval for the Katonah Village Improvement Society (KVIS) sponsored Halloween Parade in the Hamlet of Katonah on Sunday, October 27, 2013, with the cost of coverage by Police and the Department of Public Works to be paid for by fund raising for the event, as per the communication from Julia Klagsbrun dated October 10, 2013.

OLD BUSINESS

1. Adopt resolution for Roosevelt Drive Water District Extension.

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

WHEREAS, the Town Board of the Town of Bedford (the “Town Board”) adopted a resolution, on October 1, 2013 (the “October 1st Resolution”) approving a plan by the Town of Bedford (the “Town”) to extend the Bedford Consolidated Water District No. 1 to the real properties located on Roosevelt Drive, Franklin Drive and Delano Drive, hereinafter referred to as the “Roosevelt Drive Neighborhood Extension,” and

WHEREAS, the October 1st Resolution was adopted by the Town Board in accordance with the procedure set forth in Article 12-A of the Town Law following (1) preparation of a map, plan and report, filed in the Town Clerk’s Office on or about September 13, 2013, describing the proposed Roosevelt Drive Neighborhood Extension, and the improvements and construction costs associated therewith; and (2) a duly noticed public hearing on the proposed Roosevelt Drive Neighborhood Extension, held on October 1, 2013, at which all persons interested were given an opportunity to be heard, and

WHEREAS, the Town Board did, on October 1, 2013, authorize the Town Supervisor to execute an Environmental Clearance Form, identifying the proposed Roosevelt Drive Neighborhood Extension as a Type II Action under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, said Environmental Clearance Form was prepared and executed by the Town Supervisor on October 2, 2013, and

WHEREAS, the Town Board further instructed the Town Supervisor to prepare an application, pursuant to Section 209-f of the Town Law, seeking permission of the New York State Comptroller to establish and construct the Roosevelt Drive Neighborhood Extension, and

WHEREAS, the Town Supervisor has prepared said application and submitted it to the Town Board for review and approval thereof,

NOW, THEREFORE, having duly examined the application, and all contents therein, the Town Board does hereby approve the application, including the Verified Petition, all exhibits thereto, and the Opinion of Counsel, of Philip A. Butler, Esq., dated October 14, 2013, and authorize the Town Supervisor to submit same to the New York State Comptroller for review pursuant to Section 209-f of the Town Law.

2. Set public hearing on Municipal Taxi Cabs.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby set a public hearing on Municipal Taxi Cabs for Wednesday, November 6, 2013 at 7:45pm at the Town House, 321 Bedford Road, Bedford Hills.

NEW BUSINESS

1. Authorize Supervisor to sign East of Hudson Watershed Corporation lead agency agreement.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was

ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the East of Hudson Watershed Corporation lead agency agreement for the East Hudson Watershed Corporation to serve as lead agency under the State Environmental Quality Review Act (SEQRA) in the coordinated review of any and all storm water retrofit projects within the next eighteen (18) months (2013-2014) on behalf of the member municipalities.

2. Authorize Supervisor to sign facilities use agreement with Katonah-Lewisboro School District.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was

ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby approve the facilities use permit intermunicipal agreement between the Town of Bedford and the Katonah Lewisboro School District for term commencing August 26, 2013 and shall terminate on June 30, 2014, renewable for additional one (1) year terms, subject to the approval of each party's governing board.

3. Authorize Supervisor to sign agreement with Bedford Hills/Katonah Little League.

On a motion by Mr. Burdick, seconded by Mrs. Roberts, the following resolution was

ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby adopt a Negative Declaration under SEQR relative to the agreement between the Town of Bedford and the Bedford Hills/Katonah Little League as the agreement shall have no significant physical or environmental effects on the Town of Bedford.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was

ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick
Nays: None
Absent: Corcoran

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the agreement with Bedford Hills/Katonah Little League to lease Joseph A. Frank Field and all property from the trees outside the fence to the north and west around the outfield, the batting cages to the west on the third base side of the field to around the rear of the clubhouse including the walkway, the storage shed and first base side bullpen and batting cage, to and including the parks eastern edge to the ballpark entrance gate, and the AA ball field, fence, dugouts, infield and storage shed, located at 60 Haines Road, Bedford Hills, New York, for a term of twenty-five (25) years, commencing October 15, 2013 and ending October 14, 2038.

4. Authorize Supervisor to accept Fee Proposal for Air Quality Evaluation – Peckham Materials Corporation.

October 15, 2013 – Regular meeting - continued

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick

Nays: None

Absent: Corcoran

RESOLVED that the Town Board does hereby accept the Fee Proposal for Air Quality Evaluation at the Peckham Materials Corporation from Environmental Planning and Management, Inc., 1983 Marcus Avenue, Suite 109, Lake Success, New York 11042, at a fee not to exceed \$18,989.00, as per the proposal dated October 7, 2013 submitted by Richard R. Hart, Senior Environmental Scientist.

5. Authorize Town Clerk to sign NYS DEC Agent Agreement.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson, Burdick

Nays: None

Absent: Corcoran

WHEREAS, the Department of Environmental Conservation is authorized by 11-0713 of the Environmental Conservation Law and applicable rules and regulations to appoint agents to issue licenses for the privilege of hunting and fishing in New York State; and

WHEREAS, Lisbeth Fumagalli, Bedford Town Clerk has applied to the Department for appointment as such a license Issuing agent; and

WHEREAS, the Department has determined that Lisbeth Fumagalli is qualified to be appointed as a license issuing agent.

NOW THEREFORE, the Bedford Town Board grants permission for Lisbeth Fumagalli to sign the contract with the Department of Environmental Conservation.

There being no further discussion the meeting was adjourned at 8:45pm.

Lisbeth Fumagalli, Town Clerk